

ST. ASAPH'S WINS AGAIN

Efforts of Commonwealth's Attorney of Alexandria County Are Thwarted.

THREE JUSTICES SIT

One Confesses Incompetence to Judge Case by Himself—Overruled Objections.

(From Our Regular Correspondent.)

WASHINGTON, D. C., September 17.—Once more the attempt of the Commonwealth's attorney of Alexandria county to suppress the gambling at St. Asaph's pool room has been thwarted. An order was entered in the Magistrate's Court of Jefferson District this morning dismissing the warrants against John M. Hill, Zora Hill, Frank Hill, Lewis Borgen and Charles Burlingame, all charged with gambling. It was stated that the decision would have no bearing upon any further proceedings the Commonwealth might initiate against the proprietors and operators of the St. Asaph's establishment.

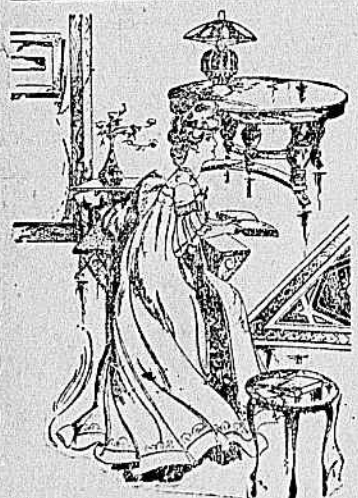
Commonwealth's Attorney Mackey stated this afternoon that he would continue the fight against the pool room, which he believes is being operated in defiance of the anti-gambling laws of Virginia, especially the so-called Mappin law, which was passed for the specific purpose of breaking up race-track gambling and book-making.

Confesses Incompetence.

The warrants were served Thursday, and were made returnable before Justice Haney, who had recognized the five men to appear before him this morning at Mount Vernon school house, in Del Rey. There was a large crowd on hand when court opened, and the deepest interest was manifested in the proceedings. Among the spectators were all the members of the grand jury which recently went to the pool room for the purpose of obtaining evidence. They got the evidence that the place was a gambling establishment, as several of them lost money on the horses. They returned indictments against Hill, but Judge Nicol, of the Circuit Court, dismissed the case.

When Justice Haney opened court he stated that he was so ignorant of the manner of procedure he felt he was incompetent to try the case, and had asked Justices East and Jones to sit with him. The former is a justice of Arlington District.

Commonwealth's Attorney Mackey at once objected to the two visiting magistrates sitting. He declared that the rules of procedure and evidence were so simple a child could understand them, and that there was no reason for other magistrates sitting in with Justice Haney. He pointed out that the warrants were made returnable to a certain justice, and did not think it lawful for the other two justices to sit. He threw something of a bomb shell when he declared that he had a personal objection to Justice Jones sitting in the case. He repeated a conversation he had had with Justice Jones some months ago, in which the magistrate had expressed the opinion that the business conducted at St. Asaph's was legal. "I cannot consent," said Mr. Mackey.



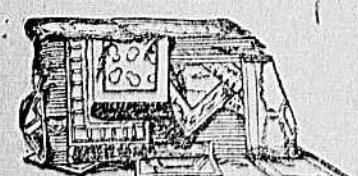
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your room was pretty, too, if you'd let us put in it some of our new pretty odd pieces of Furniture, Rugs, etc. We've been more than tickled over our new fall stock, because our sales already have been so big that we've had to put on more salesmen to accommodate our many new customers.

We do an absolutely fair business, marking all our prices in plain figures and giving all our sales, no matter how small or large, the most careful and promptest attention.

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200 different styles of Druggists, 9x12, from \$1.50 to \$4.50, and an almost endless variety of Carpets, from 15c per yard to \$1.75 per yard, for you to select from.

Inlaid Linoleums laid free at \$1.12 1-2 per yard.

Credit Given Without Your Asking for It.

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Tuesday morning you can expect the best shoe in town at this price—made by Queen Quality Factory at a saving of 50c per pair; special styles for teachers and girls going away to school.

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Shoe and Stocking Store, 311 Broad. 1549 Main St.

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"to argue a case before a court, composed of three men, one of whom is disqualified to sit, and one of the other two has made up his mind against me."

Attorney Burke, for the defense, argued that both the justices complained of were competent to sit in the case. Justice Jones argued in his own behalf. He recalled the conversation with Mr. Mackey, but denied that his mind was made up.

Cases Dismissed.

Justice Haney decided that the other two magistrates were qualified, and Mr. Mackey, after consultation with the members of the grand jury, said he had decided not to enter on the prosecution of the case. Counsel for the defense moved to acquit their clients, but the court only dismissed the cases.

The prisoners were represented by C. C. Carlin, Colonel Francis L. Smith and Edmund Burke. James M. Hill was charged with keeping a common gambling house, an offense under the common law. Zora and Frank Hill were charged with race track gambling; Borgen, who is said to be the manager of the pool-room, was charged with setting up a gambling establishment under the denomination of insurance betting on horse racing. Borgen is said to be the telegraph operator for the establishment.

Commonwealth's Attorney Mackey says he will keep up the fight against the pool-room, even if he has to take the case to the Supreme Court. He has made several efforts to have the case heard in its merits, but has failed every time. It will be a long time before he succeeds in shutting up the St. Asaph's establishment, which is known all over the country.

THE PROGRAMME.

Arrangements Rapidly Progressing for Virginia Day Celebration.

(Special to The Times-Dispatch.)

ST. LOUIS, MO., September 17.—Arrangements are rapidly progressing for the Virginia Day celebration, which promises to be a brilliant affair. Mrs. W. M. Strother, the resident hostess of the Virginia Building, arrived from Lynchburg to-day. Colonel A. M. Bowman and daughter arrived to-day from Salem, Va. Commissioner J. L. Patton and family are expected to arrive tomorrow; Commissioner G. W. Kolner is at the Virginia Building with his family. Governor Montague and family will be entertaining at the home of Mr. Frank Johnson, president of the Virginia Society of St. Louis.

The Programme.

The programme for Virginia Day is as follows: Parade, 10:45; Governor Montague and staff Virginia State Commission; Virginia Society of St. Louis Alumni Society of the University of Virginia arrive at parade entrance. There they are met by an escort of honor, consisting of the Richmond "Blacks," the Stonewall Band of Staunton, Va., and a detail of the Jefferson Guards. Parade formation is observed and the escort proceeds to the Virginia Building, through the plaza of Orleans to Louisiana way, west on Louisiana way to western end of Machinery Gardens, south around Machinery Power House, the Japanese Pavilion, thence south past the Temple of Fraternity to the Virginia Building.

11:15 A. M.—Formal ceremonies of the day at the Virginia Building. Music by the Stonewall band and the Grenadier Guards band.

No. 1. Invocation—Dr. John D. Vincell.

No. 2. Address of Welcome—Hon. D. R. Francis, president Louisiana Purchase Exposition.

No. 3. Music.

No. 4. Address—Hon. A. J. Montague, Governor of Virginia.

No. 5. Music.

No. 6. Address—Dr. Robert C. Atkinson, representing the Virginia Society of St. Louis.

No. 7. Music.

No. 8. Address—Hon. James B. Gantt, chief Justice Supreme Court, State of Missouri.

No. 9. Music.

No. 10. Music.

Reception in grand salon.

Parish School to Open.

A feature of the work in connection with the Mission church of that name, corner Beverly and Washington streets, will begin its fourth session next Monday, September 19th.

The purpose of this school is to take children under the public school age and teach them, along with the primary branches, "The Apostles' Creed," the Lord's Prayer, and the Ten Commandments, and all other things which a Christian ought to know and believe to his soul's health.

The school opened last year with seventy children, of ages from six to nine years, and ran eight and one-half months, the cost of which four-fifths were borne by the children, leaving only one-fifth to be provided by the mission.

Miss Annie Blair, who was confirmed at St. Luke's by Bishop Whittle, and hence a communicant of that church, is the leader. Miss Blair is very popular with the children, and is doing a good work in a quiet way.

To Have Rummage Sale.

The ladies of the Retreat for the Sick will have a rummage sale for the benefit of that hospital at No. 190 East Main street, September 29th, to October 1st, inclusive.

Persons desiring to contribute rummage for this sale will send it to the above number or to the Retreat for the Sick.

BATTLE EXPECTED AROUND MUKDEN

The question whether a big battle will be fought in the vicinity of Mukden is considered here to depend chiefly upon General Kuropatkin, who it is believed, that the Japanese will be able to force him to fight at Mukden unless he so elects. The general idea is that when the advance really comes, the Japanese will simply outflank Mukden and go direct against the Pass.

As far as the public is concerned, interest seems again to be gravitating toward Port Arthur, where the gallant fight of Lieutenant General Stoessel's garrison is being watched with intense interest. The report that the garrison has been forced to fall back to the use of home-made powder, which is proving defective, is considered a discouraging factor. It would be a national grief should the defense of the fortress fall through lack of ammunition. More importance, however, is attached in military circles to the reports that the Japanese have abandoned the idea of a direct assault and are tunneling the fortress from the rear. It is believed possible that the end may come at Sevastopol, with a repetition of the dreadful carnage at the Malakoff tower.

Under date of September 16th, General Kuropatkin telegraphed to the Emperor as follows:

"The entire Manchurian army rejoices inexpressibly at Your Majesty's appreciation of its labors and military deeds. We are all animated by the one desire to beat the enemy and justify the confidence reposed in us, but the supreme chief of the Russian army may feel perfectly assured of the army's future self-denial and devotion."

"Our departure from Liao-Yang was unavoidable and was accomplished under conditions fraught with great difficulty. Even our adversaries, upon this occasion, were very modest in their report not mentioning the capture of prisoners, guns, or other trophies."

"General Kuropatkin's official report confirms the statement that on September 14th, one-half of his force, which is the strongest of the three Japanese armies, was on the right bank of the Taitsze river, and if conditions had been favorable, could have cut off the troops occupying Liao-Yang from the Russian troops operating on the right bank of the Taitsze river."

SURROUND MUKDEN.

Oyama Will Endeavor to Bring Campaign to Decisive End Before Winter.

(Special Cable to The Times-Dispatch, Copyright 1904.)

TOKIO, September 17.—That Oyama will surround the Russians at Mukden within the next few days, if he has not already done so, is the general belief entertained here, as it is known that both Oku and Kuroki have advanced along the Russian flank. The statement has been made on the very highest authority that the field marshal has been instructed to make a supreme effort to bring the campaign to a decisive end before the winter begins, but although there is very little doubt that he will be able to accomplish the task allotted to him, extensive preparations are under way to provide for any contingency which may arise in the campaign through the winter season. Although most troops now at the front are well able to withstand the extreme cold of the Manchurian winter, arrangements have been made to send a strong levy from the northern provinces to the front. These troops will be men who have seen service before, and will probably be used for active duty during the winter, thus relieving those engaged in the fighting at present. It is stated that no further troops will be sent to Port Arthur, as the progress of the siege there is said to be satisfactory and the garrison is in such an entrenched condition that further reinforcements of the beleaguered army is not necessary.

(By Associated Press.)

TOKIO, September 17.—P. M.—Field Marshal Oyama reports that Russian cavalry outposts with bases at Panchagiao, Hanlinpao and Tansanchiatzu, are daily scouting southward in the vicinity of Wullaitzu and Menfulutal over a twelve-mile front and to fainting, three miles from Tansanchiatzu.

The Russian cavalry are changing their clothing to gray and black, their winter uniform.

Confronting Kuropatkin.

(By Associated Press.)

GENERAL KUROPATKIN'S HEADQUARTERS, IN THE FIELD, September 16.—Via Fusan, Korea, September 17.—The Japanese front is now some miles north of Liao Yang, almost half way to Mukden, and confronting General Kuropatkin's outpost lines.

General Kuropatkin, it is believed, is removing his headquarters to Harbin. Both armies are said to suspend hostilities for a time. They are apparently exhausted after the battle of Liao Yang.

RUMORS OF PEACE.

Suggestion That Belligerents May Reach Agreement Received With Incredulity.

BY PAUL LAMBETH

(Special London Cable to The Times-Dispatch, Copyright 1904.)

LONDON, September 17.—Several reports of great interest in regard to the war in the far East have turned up to-day. Among them is a statement reported to have been made by a general, a Russian official in St. Petersburg to the effect that the end of the war might come sooner than was expected, and that it would be brought about, not by intervention or the surrender of either side, but by mutual agreement, as a result of a careful study of the great drain on both countries entailed by the continuation of the war. This official is quoted as predicting that a combination of Russian and Japanese interests in the far East will be the outcome of such an agreement.

The startling report has aroused considerable discussion among diplomats, and the general opinion seems to be that such a combination would, if it could be arranged, redound to the great benefit of both nations; but it would form a greater menace to the interest of the powers than the much discussed "yellow peril." However, it is generally agreed that the obstacles in the way of such an attempt of the Russian-Japanese dispute are so great as to make its possibility seem extremely remote.

Of the news from the war scene the most striking item is the rumor that the Russian intend to make a withdrawal from Port Arthur beyond the usual rumors, but it is evident that the fall

of the stronghold is very near at hand.

ST. PETERSBURG, September 17.—Important developments regarding China's attitude towards the belligerents is anticipated here in well-informed quarters. There are rumors of closer relations between China and Japan, of the possibility of the Japanese turning over Port Arthur when captured to China, of their restoring Manchuria to the Chinese, etc.

Although these reports are not confirmed, they lead to quite a general belief that some sort of negotiations are going on behind the scenes of which the outside world has little cognizance.

The Russ expects the war to take on a phase as Chinese neutrality vanishes which the powers in their agreement to preserve China's neutrality cannot ignore. Moreover, the Russ believes the situation will call for deeds and not words. It concludes:

"We need not be unduly alarmed, how-

ever. The interference of China will scarcely be to our disadvantage."

Ambassador McCormick, as custodian of Japanese interests, has made inquiries regarding the two suspected Japanese spies, Chostanto Saratori and Mamachet Tokaki, recently arrested here. He ascertains that the authorities only contemplate detaining them.

The Novoye Vremya bitterly denounces the suggestion of peace advanced by M. Meshchersky in the Gazdalin as a means of "defeating the selfish ends of Great Britain and Germany," both of whom, M. Meshchersky asserts, are interested in weakening Russia.

The Novoye Vremya announces that the Russian people would not tolerate the self-humiliation of the Empire of Japan.

The Emperor's congratulatory message to General Kuropatkin is regarded as effectually putting an end to the stories of imperial displeasure with Kuropatkin's generalship at the battle of Liao Yang.

Telegraphic reports from the Red Cross show the following proportion of patients suffering from wounds or disease out of the total sent to the hospitals in the area of the military operations: Cases of severe illness, 10 per cent.; slight illness, 55 per cent.; wounded, 84 per cent. Only one epidemic disease noted is dysentery, with 6 per cent. of cases.

Upon his promotion to the rank of general of division, announced last night, General Samsonoff sets the Siberian Cossack division. General Skuzarevski is back division. He formerly commanded the Twenty-seventh infantry division.

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All signs point to the greatest Silk business in the history of the trade. No house is better fortified than ours to supply your Silk wants. We show all kinds of Silk in endless variety. Your Silk buying, you know, can be done here with absolute safety, for quality, style, rightness of prices and our guarantee protects every purchaser.

Fancy Taffetas, Louisinnes, &c.

All-Silk Taffeta, checks, stripes and fancies; colors blue, brown and green, with threads and glints of bright colorings; an actual 75c. value.....59c.

At 75c.—An immense variety of Dress and Waist Silks, every wanted shade, style and effect represented.

At \$1.—An immense array of everything that is new and fashionable; every conceivable and wanted pattern and colorings.

Taffeta Silks, all silk, heavy weight, plain and illuminated, an extraordinary value.....59c.

Chiffon, French Taffetas, 60 shadings to select from, every conceivable shadings; the value in Richmond.....75c.

Colored Dress Goods.

New Suitings, mannish effects, new and stylish; colors blue, brown, green and black, 75c. \$1.25, \$1.50, \$1.75.

Illuminated cloths, new and very stylish, all colors.....\$2.

Cravanette, all wool, 60 inches wide.....\$1.50 and \$2.50.

Broadcloths in an immense variety, every wanted shade, style and effect.....\$1.50, \$2, \$2.50 and \$3.

Thibet Cloth, all wool and in all colors.....\$1.50.

Cheviots, all wool, extra values.....60c. to \$1.50.

Mohairs, plain and fancies, prices.....50c. to \$2.

New Neckwear.

New Wash Stocks, entirely new ideas, 25c. and 50c.

New Lace Stocks in white, black and champagne, 25c., 50c., 75c.

New Collar and Cuff Sets, 50c., 59c., 75c., 98c.

New Silk Stocks, exclusive designs, 50c., 75c., 98c., \$1.25 to \$3.98.

New Ruches, Stoles and Capes of chiffon, mousseline, etc., \$3.95 to \$27.50.

Table Linens.

68-Inch All-White Linen Silver Bleached Damask, actually worth 75c., special, 59c.

See our \$1 Damasks; it cannot be matched elsewhere for \$1.25.

5-8 Napkins to match, \$1.

3-4 Napkins, \$4.

20x42 Hemstitched All-White Towels, worth \$4, special, \$3.

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